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31 JUL 1978

MEMORANDUM FOR: DDA Focal Point, NFAC
ATTENTION :
FROM : H. C. Eisenbeiss
Director of Central Reference
SUBJECT : DDA Task Force on Classification/Declassification
and Mandatory Review

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Attached are several NFAC papers that may be of assistance in preparing classification guidelines as required by Executive Order 12065.

Tab A is a draft of an OCR guideline based on an early draft of EO 12065.

Tab B is a list of OCR questions that require answers prior to a completed guideline.

Tab C are some OSI questions re guideline coverage.

Tab D contains some suggestions proposed by the NFAC Coordination Staff for the "foreign government source problems."

Tab E lists some special problems for the Operations Center.

Tab F lists some problems particular to the PDB (my view is that these should be handled as exceptions--the President could approve himself since he reads it).

Tab G may be of use in that its paragraph 3 explicitly deals with NFAC multi-media output. The memo contains proposed language.

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H. C. Eisenbeiss

cc: C/AS/NFAC
NFAC/FOIO
EO/NFAC
C/DB/OCR

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25 July 1978

MEMORANDUM FOR: Director of Central Reference

FROM :
Chief, Publications & Presentations Group

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SUBJECT : NFAC Classification Document

1. Here are some suggestions for the NFAC classification document. As a start I have offered modifications of several sections of your draft OCR instruction of May that have general applicability. I have not tinkered with the many passages that would obviously be adjusted to take account of the NFAC, rather than OCR, nature of the new document. In addition I have added a draft section on nonpaper production.

2. Comment on OCR Document:

2a. Classification Authority, Identification and Marking

(1) Authority in NFAC for classifying material is the responsibility of specifically designated individuals. (An attachment should list individuals with classification authority and their identity number.)

(2) In second line, after "all paper copies" insert "(for printed documents, the reverse side of the front cover)."

d. All classified intelligence products and administrative notices and correspondence shall carry classification markings by paragraph, except when waivers have been obtained from the Director of the Information Security Oversight Office under Section 1-504 of EO 12065. Classification markings and dissemination controls will

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SUBJECT: NFAC Classification Document

be placed together at the end of paragraphs, in abbreviated form. Classifications will be cited as follows: "TS" (TOP SECRET); "S" (SECRET); "C" (CONFIDENTIAL). "U" will signify unclassified paragraphs. Titles of intelligence products, of their component parts, and of administrative papers should be marked with the same abbreviated citations when they warrant classification, but when unclassified need not carry the "U". In keeping with Section 1-604, classification of titles will be the exception rather than the rule.

g. (I suggest that we defer any attempt to compose wording on SCI until the special committee now examining this subject concludes its work.)

3. Electromagnetic, Electro-optical, and Motion Picture Products

Videotapes, videodiscs, and motion pictures produced by NFAC will carry classification, dissemination, and compartmented information markings as follows:

(1) Classification, dissemination and compartmented information markings will follow immediately after the initial frames that show the CIA logo. The office and date of origin, date for declassification or review, intelligence warning notice, and identity of the classifying authority will then follow in sequence before the title of the production.

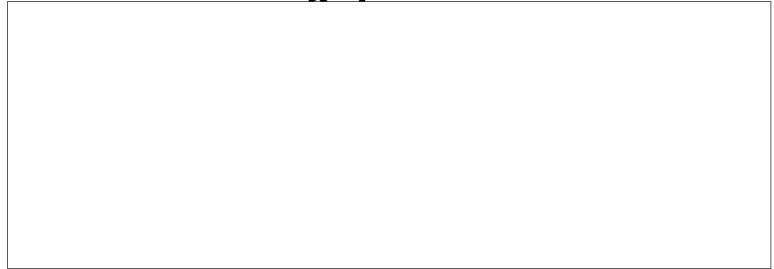
(2) Classification, dissemination, and compartmented information markings will be repeated at the end of each production.

(3) The master script (file copy) of any electronic image or film product will be treated as a printed document and classification, dissemination, and compartmented information markings will be annotated on the master script.

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SUBJECT: NFAC Classification Document

(4) Labels and packaging (film cans, videodisc boxes and sleeves, videotape boxes) will carry appropriate classification, dissemination, and compartmented information markings.



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18 July 1978

MEMORANDUM FOR: Mr. Harry Eisenbeiss, Director
Office of Central Reference

SUBJECT : Information for Classification Guidelines--
Steering Group

1. Most intelligence products prepared by the Operations Center are intended to serve the internal needs of CIA. Since we are an all-source alerting facility, many of our "quick look" products often bear compartmented caveats and occasionally can be disseminated to only the DCI or his executive agents.

2. The Operations Center does not produce finished intelligence in the traditional meaning of that term. The one exception to this general observation is the Senior Duty Officer's role in initiating White House Spot Reports (WHIZZERS) which are prepared for external distribution with the assistance of desk analysts. Spot Reports may contain analytical evaluations or commentary of a higher classification than the referenced source documents.

3. The five daily logs maintained by our watch-standers deserve special mention. Logs are kept by the Senior Watch Officer, the CIA Representative at NMCC, the SIGINT Watch Officer, the IMAGERY Watch Officer and the CIA Liaison Officer at the Ground Site. The latter two logs are automatically classified with a special project operational caveat. The Senior Watch Officer's Log is the official log for the Center. It is a key document in crisis post-mortem studies and usually serves as a reference document for a variety of other activities of an investigative nature. The Operations Center logs contain information which is a record of official decisions and actions as well as personal information. All logs eventually are sent for permanent storage.

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4. Listed below are all the intelligence related products that originate in the Operations Center:

- Logs
- White House Spot Reports
- DCI's Executive Summary
- Bulletins
- VIP Movements Report (twice weekly-SECRET)
- Operational and Administrative memoranda

ADMINISTRATIVE INTERNAL USE ONLY

5. Finally, the Operations Center is one of seven primary members in the national interlocking communications network. Our obligation and commitments to one another in this system rest on the operating principle "to share the wealth" whenever possible. This information exchange mechanism is a confederate arrangement that is easily disturbed when any one member violates the sensitivities of another party. This bureaucratic but real life circumstance makes information control and classification a more encompassing problem for us than just our perceptions at CIA.

Good p. 4.

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Special Assistant
CIA Operations Center

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24 July 1978

MEMORANDUM FOR: Director of Central Reference
FROM : OCR Classification Task Team
SUBJECT : Impact of Executive Order (EO) 12065 on OCR

1. We have reviewed Executive Order 12065 in relation to its impact on OCR, and in some cases on NFAC. This memorandum addresses the issues in the Order that we feel need further consideration, and clarification in a CIA Implementing Directive. They are outlined below along with summaries of the pertinent sections of the Order to which they refer.

A. Section 1-4: Duration of Classification, p. 28952

1. According to paragraph 1-401, material classified under the provisions of EO 12065 will be automatically declassified six years from the date of original classification unless:

- a. It must remain classified for a longer period of time for reasons of national security or
- b. Because it was provided by a foreign government.

Information falling into categories (a) and (b) above

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require declassification review 20 and 30 years respectively after the date of original classification.

- ° Does this requirement prohibit the use of the current stamp "Declassify on Date Impossible to Determine?"
- ° Can a waiver of the requirement for automatic declassification after six years be obtained for OCR products?
- ° Does the 30-year limit on declassification review of foreign government information apply to foreign intelligence documents that have been assigned a classification life span of more than 30 years by the government of origin?

B. Section 1-5: Identification and Marking, pp. 28952-28953

1. Paragraph 1-501 lists the information that must be marked on a document at the time of original classification, namely,

- (a) the identity of the original classification authority;
- (b) the office of origin;
- (c) the date or event for declassification review;
- and
- (d) one of the three classification designations.

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- What abbreviations will be used to cite this data?
- Will the markings be preprinted and, if so, in what form?
- Will employee numbers or personal names be used?

2. Paragraph 1-502 sets forth the requirements for annotating the reason(s) and authority for classification of information beyond six years. It indicates that

reason(s) for classification beyond six years must be stated "in narrative form..." *"Criteria" given narrative form not the reason referencing the criteria.*

- Will OCR, NFAC or Agency standardized explanations be developed? *Implementing instructions 1-502*
- What form will their narrative explanations take? *" " for criteria*

3. Paragraph 1-503 of the Executive Order specifies that administrative controls such as "Official Use Only," "Limited Official Use," etc. cannot be used to identify classified information.

- Will Intelligence Community agencies be able to continue use of internal administrative or dissemination controls and, if so, how binding will they be? *not classify - by admin decree - internal control.*

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(If controls continue to be used, those which are authorized must be cited in a CIA Implementing "Regulation" Directive.)

4. Paragraph 1-504 specifies that documents must be clearly marked to indicate which portion(s) [i.e., paragraph(s)] are classified and which are not.

- ° Will dissemination controls or administrative markings be included as part of the paragraph classifications? *First question*
- ° Where will the markings be placed---at the beginning or end of the paragraph?
- ° Will the markings be abbreviated and standardized in CIA or NFAC? *(If so, should be listed in the Fed. Registry)*
- ° Is it necessary to classify each paragraph of a report separately, if all of the paragraphs have the same classification?
- ° Can a waiver to paragraph classification be granted for biographic reports? *and other categories of Rpts?*
(Biographic reports are often classified because, in their entirety, they represent the US Government's official assessment of foreign officials and not because any one word, sentence or paragraph alone is classified. To require OCR analysts to judge each

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paragraph separately could lead to (1) poorly constructed reports in which the analyst attempts to put all classified information into the same paragraph(s); (2) the abandoning of ideas/judgments entirely because they fall between the classified and unclassified criteria.)

C. Section 1-6: Prohibitions, p. 28953

1. According to paragraph 1-604, references to classified reports (i.e., document titles) cannot be classified unless the references themselves warrant classification.

Issues for Consideration:

This provision could have an impact on OCR's AEGIS/RECON system if literally adhered to. We recommend that a CIA ^{Regulation} Implementing Directive specify that expansions of document titles through the addition of keywords, etc, constitute abstracts and that abstracted titles used in CIA's information processing activities must be classified (and/or controlled) at the same level as the documents themselves.

If expanded titles cannot be categorized as abstracts, then future output from AEGIS/RECON will require two listings -- one for references which predate this order and one for

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references indexed after November 1978. A second software package would have to be maintained to handle the classification of machine listings falling into the latter category. It would have to include a field for title classification in addition to the field for overall document classification and all print formats would have to be revised accordingly.

In addition to the software issue, we feel that there is another potential impact on OCR if expanded document titles cannot be considered as abstracts that automatically carry the same classification as the document. When OCR requesters ask for unclassified AEGIS/RECON references under current procedures, only references to documents which are unclassified appear in the listing. Under the new order, an unclassified listing could contain both references to unclassified documents and unclassified titles of classified documents. In the later instance, then, further sorting of the listing would be required to determine if it contained documents with dissemination controls or classification levels for which the customer might not be cleared. This sorting procedure could be accomplished through the development of a new software package that would create a separate input field for title classification. The new

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field would then be added to AEGIS/RECON search strategies to eliminate the need to prepare either more than one listing or re-check all unclassified titles at output to see whether the documents to which they refer are classified at a different level than the titles.

On balance, it seems that little would be gained by assigning a classification to a document title that is lower than the overall classification of the document when ultimately the requester may not have the proper clearances to receive the document itself. With that reasoning, recommend that OCR not undertake any project to develop separate title classification indexing and retrieval schemes since they appear to be extremely manpower intensive and costly.

D. Section 2-3: New Material, p. 2894

1. Paragraph 2-302 could have a significant impact on the declassification date assigned to biographic reports. It specifies that "new material that derives its classification from information classified under prior Orders..." be reviewed for declassification 20 or 30 years from the date of original classification of the source material.

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° When a report is based on multiple sources that contain different dates for review for declassification, which source should take precedence in determining the date for declassification review? *the oldest —*

E. Section 3-3: Declassification Policy, pp. 28955-28957

1. This section of the Executive Order could have considerable impact on OCR both in terms of service from machine or manual files, as well as service from the centralized document files. Because of the sticky issues of notification and marking after downgrading or declassifying information, it is our opinion that OCR should be cautious in assuming the responsibility for providing customers with material which accurately states its overall classification status. (3-6)

We feel that it would be cheaper for OCR, if a preprinted cautionary, notice to customers could be attached to information provided in response to reference inquiries. The notice would alert the customer to the need for verification of any reference that is used, including non-CIA references, against the the centralized file of declassification or downgrading actions in either of the DDA offices having responsibility for keeping

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computerized records on Agency declassification actions, i.e., Records Review Branch, ISAS, or Info and Privacy Staff or with outside agencies, when required.

Since most analysts write from fairly current source material, checking old records would be required infrequently. It would be cheaper to the Agency for analysts to check the declassification status of older references when needed than for OCR to try to get lists of reports from DDA and try to: a) identify the records in OCR files (because of poor source locator information in the DDA data bases) and b) undertake a rather massive file check and marking operation for documents which may never be requested.

If we should attempt to mark OCR document holdings, and particularly if we became responsible for providing accurate declassification information to customers, we must have accurate notification from both CIA and non-CIA agencies. In view of the problems associated with accurately documenting sources, we recommend against OCR's undertaking responsibility for marking any of its document

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holdings, except OCR-produced reports, as a result of declassification or downgrading actions.

F. Section 4-4 Reproduction Controls, p. 28958

According to paragraph 4-404, records must be maintained to show the number and distribution of reproduced copies of all Secret and Confidential documents with "special dissemination and reproduction limitations". We feel that these special controls and requirements should be clearly defined and possibly standardized. Much confusion could come from a literal reading of this paragraph, resulting in time-consuming record-keeping for reproduction of Secret and Confidential documents.

*Special dissemination
1" in EO 12065*

2. Many of the issues included in this memorandum impact on the draft OCR Guidelines on Classification, prepared by the Task Team in May 1978. We should wait to finalize those guidelines until some of these issues are resolved.

26 JUL 1978

MEMORANDUM FOR: D/OCR

SUBJECT: Implementation of Classification Guidelines

1. This office will primarily work with derivative information and will retain originators classifications and controls.

2. The following "oddball" areas which require protection are specific to this office but some also may pertain to other offices.

A. OSI-collected raw information

1. Humint such as information inadvertantly divulged by a foreigner in an informal discussion during an international conference which could divulge source and agency personnel, or material obtained during visits to foreign installations, trip reports, interviews with ambassadors and personal observations.

2. Technical collection proposals, special equipment, and collected data which clearly are unique to intelligence.

B. Subject matter inherently classified such as VIP Personality Studies and information on monitoring and verification during treaty negotiations.

C. Some computer programs are of themselves, i.e. without a data base, classified because the program itself can provide the methodology used in doing sensitive studies.

D. The question of "confidentiality" in dealing with contractors doing unclassified studies needs to be addressed.

E. Guidance--a warning, if you will--that basic research prohibited from classification when used alone may very well become classified when, for example, judgmental

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statements about its applicability to a weapon system are interwoven with it. Some net assessments may fall into this category.

3. Under category 1-5, I would strongly endorse marking each paragraph, heading, titles, graphics, etc. at the end with both classification and controls. It may be well to consider the use of a code to designate controls, at the bottom of each page such as one finds in a dictionary for pronunciation or perhaps on the inside of the front cover of a published report. One might find, for example, "C4" in parens at end of paragraph, C indicating Confidential and 4 indicating NOFORN Rel to UK. This would not be too obtrusive to reader but would clearly provide often needed knowledge.

4. For classified correspondence, again a code that could be preprinted or stamped on the face when a document is to be classified more than 6 years. Such a code would be like the use of E2 IMPDET and would refer back to previously set criteria. For example, the classifier might be 007 and Y-6 might be used to indicate that this is SCI material and therefore will retain classification 20 years.

5. Some way of indicating foreign information would be useful. The use of one foreign information document in finished intelligence with scores of other sources should not make the finished intelligence classified for 30 years.

6. I would like to see as general guidelines in any guide the classification criteria specified in the early April draft of 11652 (attached). They are most useful in thinking of national security.

Chief
Intelligence Production Staff/SI

Attachment:
Draft Section of 11652

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